

Application No.: 10/783,592  
Attorney Docket No.: CFA00054US

**AMENDMENTS TO THE CLAIMS**

*Please amend the claims as follows:*

1-2. (Cancelled)

3. (Currently Amended) An optical encoder comprising:

a scale having an optical grating;

a plurality of photoreceptor elements that are movable relatively with respect to the scale and that are disposed in relation to a pitch of the optical grating;

a light source having a plurality of light emitting elements configured to irradiate the plurality of photoreceptor elements through the scale from different respective directions, wherein ~~a lighting intensity level~~ an on/off state of each one of the light emitting elements is independently controlled with respect to the other light emitting elements; and

a controller configured to adjust ~~the lighting intensity level~~ the on/off state of the plurality of light emitting elements independently with respect to the other light emitting elements;

wherein the controller obtains relative-position information with respect to the scale and the plurality of photoreceptor elements based on photoreception signals received by the plurality of photoreceptor elements.

4-8. (Cancelled)

9. (Previously Presented) The optical encoder according to Claim 3, wherein at least two of the plurality of light emitting lights irradiate light together simultaneously.

10. (Previously Presented) The optical encoder according to Claim 9, wherein the on/off state of at least one of the plurality of lights is independently controlled with respect to the other light emitting elements, and

wherein the controller is configured to adjust the on/off state of at least one of the plurality of light emitting elements independently with respect to the other light emitting elements.